

**FINAL EXPRESS TERMS
FOR
PROPOSED BUILDING STANDARDS
OF THE
DIVISION OF THE STATE ARCHITECT – STRUCTURAL SAFETY**

**REGARDING PROPOSED CHANGES TO
CALIFORNIA ADMINISTRATIVE CODE
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 1**

(The State agency shall draft the regulations in plain, straightforward language, avoiding technical terms as much as possible and using a coherent and easily readable style. The agency shall draft the regulation in plain English. A notation shall follow the express terms of each regulation listing the specific statutes authorizing the adoption and listing specific statutes being implemented, interpreted, or made specific. (PART 1 – ADMINISTRATIVE CODE))

Legend for Express Terms:

- 1. Existing California amendment:** Existing 2013 CALGreen Code language to be added or repealed will appear in underlined and ~~strikeout~~, respectively.
- 2. Amended, or repealed language:** Amended or repealed 15-Day language will appear in *italics and double underline* and ~~double strikeout~~.
- 3. Rationale:** The justification for the change is shown after each section or series of related changes.
- 4. Notation:** Authority and reference citations are provided at the end of each chapter.

EXPRESS TERMS

The Division of the State Architect (DSA) proposes to adopt into the 2013 California Code of Regulations (CCR), Title 24, Part 1, California Administrative Code, Chapter 4 the following text:

...
**CHAPTER 4
ADMINISTRATIVE REGULATIONS FOR THE DIVISION OF THE STATE ARCHITECT -
STRUCTURAL SAFETY (DSA-SS)**
...

**GROUP 3
SUSTAINABLE CONSTRUCTION OF PUBLIC SCHOOLS & COMMUNITY COLLEGES
OUTDOOR WATER USE**

**ARTICLE 1
GENERAL PROVISIONS**

4-501. Purpose. These regulations implement sections of the Education Code to ensure that elementary, secondary, or community college buildings and facilities constructed or altered pursuant to these regulations are in compliance with the California Code of Regulations (C.C.R.), Title 24 related to the design aspects of sustainable (or “green”) building elements, components, and systems specifically irrigation systems for landscape areas.

Notation:

Authority: Education Code Sections 17310 and 81142.

Reference: Education Code Sections 17280, 81130 and 81142.

Rationale: Due to the urgency of implementing procedures in response to the mandates of EO B-29-15, DSA has determined that limiting the implementation to outdoor water use specific to irrigated landscape systems will assist in expediting verification of compliance. Therefore, the Group 3 title and the purpose statement are proposed to be revised specific to the outdoor water use section outlined in California Code of Regulations, Title 24, Part 11 (CALGreen Code), Section 5.304.5, Outdoor Water Use.

4-502. Scope. California Code of Regulations, Title 24, Part 11; known as the "CALGreen Code", designates building regulations that are applicable to the Green Building Standards portions of the design, construction, or addition to any school building as defined in Sections 17283 and 81131 of the Education Code. ~~The term "school building" shall include all buildings, structures, appurtenances, and related systems or facilities as defined in Section 4-314.~~

Notation:

Authority: Education Code Sections 17310 and 81142.

Reference: Education Code Sections 17280 and 81130

Rationale: Propose modifying this section to align with the proposed revisions specific to the outdoor water use regulation.

ARTICLE 2

DEFINITIONS

4-506. General. The definition(s) in Sections 4-507 shall have the meaning stated therein throughout the regulations contained in Part 1, ~~Section 4-400~~ Chapter 4, Group 3, et. seq, Title 24, C.C.R.

Notation:

Authority: Education Code Sections 17310 and 81142.

Reference: Education Code Sections 17283, 81130, 81131, and 81529.

Rationale: Corrected reference.

4-507. Definitions.

SELF-CERTIFICATION shall mean a registered architect, ~~licensed~~ landscape architect, or civil engineer ~~of record~~ in general responsible charge prepares a set of construction documents which comply with the California Code of Regulations (C.C.R.), Title 24 or other referenced regulations, and provides their signature ensuring that the construction documents and related reports meet or exceed the code requirements.

Notation:

Authority: Education Code Sections 17310 and 81142.

Reference: Education Code Sections 17280, 17283, 17405, 81130, 81131, and 81529.

Rationale: Revision to align language with other sections.

ARTICLE 3

APPLICATION FOR VERIFICATION OF

SELF-CERTIFICATION OF DRAWINGS AND SPECIFICATIONS

4-508. Plans, specifications, calculations, fees, and other data. ~~When an application for verification review of the self-certification of compliance with the Outdoor Water Use regulations plans and specifications is filed, it shall be accompanied by a site landscape area location plan, set of plans and specifications, a copy of the calculations, the site data, all required completed forms, and a fee payment.~~

~~Plans, specifications, or self-certification forms which, when submitted, are determined by DSA to be incomplete or incorrect, shall be returned to the architect, landscape architect, or civil engineer in general responsible charge with a request for additional information or revisions. compliance with these regulations before verification is started by DSA.~~

Notation:

Authority: Education Code Sections 17310 and 81142.

Reference: Education Code Sections 17280 and 81130.

Rationale: Modified language to align with DSA procedures which were developed after the 45-Day language.

4-509. Application for verification of self-certified drawings and specifications. ~~The irrigation plans and specifications shall meet the California Code of Regulations, Title 24, Part 11 (CALGreen Code), Section 5.304.5, Outdoor Water Use. The architect, landscape architect, or civil engineer in general responsible charge shall self-certify that the project's landscape planting and irrigation design is compliant with the current version of the Model Water Efficient Landscape Ordinance (MWELO) per Section 5.304.5 of the CALGreen Code and built in accordance to these regulations. All related drawings and specifications must display their registration seal and signature.~~

~~Before commencing with construction of a school building landscape irrigation project and any associated buildings, the school board architect, landscape architect, or civil engineer in general responsible charge shall submit the forms prescribed by the DSA certifying that the landscape irrigation design complies with the Outdoor Water Use regulations, and obtain verification approval of the self-certified plans and specifications from the DSA intake specialist. The applicant will receive DSA authorization when the plans and specifications have been approved and later, when the construction is complete.~~

~~When construction is complete, a self-certification form prescribed by the DSA certifying that the landscape irrigation system is installed in compliance with the Outdoor Water Use regulations shall be filed with the DSA intake specialist.~~

~~(a) The self certification of the energy plans and reports shall meet the California Code of Regulations, Title 24, Part 6 (Energy Code). The architect of record or certified energy analyst will self-certify that the project's energy design is compliant with the requirement of the Energy Code and commissioned in accordance to these regulations. All related drawings and specifications must display their registration seal and signature.~~

~~(b) The self certification of the irrigation plans and specifications shall meet the California Code of Regulations, Title 24, Part 11, Section 5.304 (CALGreen Code). The architect, a licensed landscape architect, or civil engineer of record will self-certify that the project's irrigation design is compliant with the Model Water Efficiency Landscape Ordinance (MWELO) the CALGreen Code and built in accordance to these regulations. All related drawings and specifications must display their registration seal and signature.~~

Notation:

Authority: Education Code Sections 17310 and 81142.

Reference: Education Code Sections 17280 and 81130.

Explanation of changes and rationale:

Explanation of changes to 45-Day express terms for Section 4-509:

- 1) Removing requirements for the Energy Code review (original item a).
- 2) Modifying the original paragraph so it is specific to the outdoor water use review, and separating this into three paragraphs to describe requirements first (similar to original item b), then the design review (similar to the original first paragraph), and then the construction review.

Rationale:

Due to the urgency of implementing procedures in response to the mandates of EO B-29-15, DSA has determined that limiting the implementation to the self-certification of compliance with the MWELO (as amended per the DSA's CALGreen Outdoor Water Use regulations) is needed. Having the MWELO and the California Energy Code reviews together complicates the procedures since not all projects require reviews for both. Therefore, DSA proposes to modify the 45-Day express term language to align with the Outdoor Water Use regulations' self-certification process.

ARTICLE 4
FEES

4-510. Fees. ~~The filing fee for CALGreen the self-certification verification review shall be a flat fee of \$500 due at the time of submission of the project and is non-refundable, once the verification of self-certification has begun.~~

Notation:

Authority: Education Code Sections 17310 and 81142.

Reference: Education Code Sections 17280 and 81130.

Rationale: After meeting with DSA fiscal staff, modification and clarification of the language is needed to align with the division's procedures for submitting plan review fees.
